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Dated: December 23, 2004

Signature:

Scott E. Baxendale
(Scott E. Baxendale)

Docket No.: 27087/39520
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Brian M. Wilk et al.

Application No.: 10/643,526

Filed: August 19, 2003

Art Unit: 3712

For: ACTION FIGURE GAME PIECE AND
METHOD OF PLAYING ACTION FIGURE
GAME

Examiner: Vishu K. Mendiratta

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO-1449. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This statement is not to be interpreted as a representation that the cited documents are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any document herein be construed per se as a representation that such document is prior art. Moreover, Applicants understand the Examiner will make an independent evaluation of the cited documents.

12/29/2004 MBERHE 00000034 10643526

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Application No.: 10/643,526

Docket No.: 27087/39520

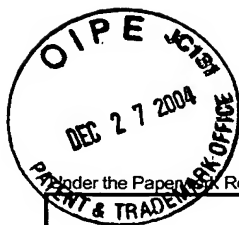
Copies of the U.S. patents and published U.S. patent application cited on PTO-1449 are not attached pursuant to 37 C.F.R. § 1.98(e). Copies of the European publication and the International Search Report for corresponding International Application No. PCT/US2004/011557 are enclosed. Applicants are aware of U.S. Patent Application Serial No. 09/479,531 based on the claim of priority in U.S. Patent No. 6,659,463 and U.S. Publication No. 2004/0119234, but are unable to obtain a copy of the application as filed.

Our check in the amount of \$180.00 covering the fee set forth in 37 CFR §1.17(p) is enclosed. The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 13-2855, under Order No. 27087/39520. A duplicate copy of this paper is enclosed.

Dated: December 23, 2004

Respectfully submitted,

By: Scott E. Baxendale
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Approved for use through 07/31/2006. OMB 0651-0031

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/643,526
	Filing Date	August 19, 2003
	First Named Inventor	Brian M. Wilk
	Art Unit	3712
	Examiner Name	Vishu K. Mendiratta
Total Number of Pages in This Submission	Attorney Docket Number	27087/39520

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Second Supplemental Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): References cited in Form PTO-1449
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MARSHALL GERSTEIN & BORUN LLP		
Signature	<i>Scott E. Baxendale</i>		
Printed name	Scott E. Baxendale		
Date	November 4, 2004	Reg. No.	41,605

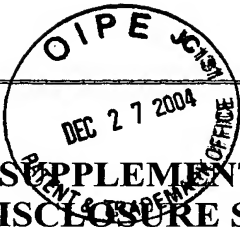
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Scott E. Baxendale

(Scott E. Baxendale)



Form PTO-1449 (Modified)

**SECOND SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT**Atty. Docket No.
27087/39520Serial No.
10/643,526Applicant(s)
Brian M. Wilk, et al.Filing Date
August 19, 2003Art Unit
3712**U.S. PATENT DOCUMENTS**

Examiner Initials	Document Number	Issue or Publication Date	Name	Class	Subclass	Filing Date (If Appropriate)
	6,659,463	12/09/2003	Mackey	273	276	
	2002/0180150	12/05/2002	Weisman	A63F	3/00	
	2004/0119234	06/24/2004	Mackey	273	276	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Document Number	Publication Date	Country	Translation	
				Yes	No
	EP 0 850 671	07/01/1998	EPO		

OTHER DOCUMENTS

	International Search Report, International Application No. PCT/US2004/011557, search completed October 4, 2004.
	U.S. Patent Application Serial No. 09/479,531, filed on January 7, 2000 and listing Thomas J. Mackey as inventor.

EXAMINER:

DATE CONSIDERED: